

United States Government

Department of Energy
Bonneville Power Administration

memorandum

DATE: April 25, 2002

REPLY TO
ATTN OF: KEC-4

SUBJECT: Supplement Analysis for the Watershed Management Program EIS (DOE/EIS-0265/SA-76)

TO: Joe DeHerrera
Fish and Wildlife Project Manager

Proposed Action: Little Sheep Creek Large Wood Placement and Culvert Replacement

Project No: 1992-026-01

Wildlife Management Techniques or Actions Addressed Under This Supplement Analysis
(See App. A of the Wildlife Mitigation Program EIS): 1.6 Install Large Woody Debris Structures; 1.13 Culvert Removal/Replacement to Improve Fish Passage; 1.17 Rearing Habitat Enhancement; 7.3 Minimize Erosion and Sedimentation during Stream Crossing Construction.

Location: Wallowa County, Oregon

Proposed by: Bonneville Power Administration (BPA) and the Wallowa Soil and Water Conservation District

Description of the Proposed Action: BPA proposes to fund a fish passage and habitat enhancement project on Little Sheep Creek a tributary to the Imnaha River in Wallowa County, Oregon. Little Sheep Creek is an important fishbearing stream in Wallowa County that is known to contain steelhead, rainbow trout, and bull trout. The project will replace two culverts (currently impassable to juvenile fish) with bridges, fill a plunge pool at the outlet of the lower culvert with clean rocks and boulders, remove 20 yards of streambed substrate to prevent the development of a headcut, and place 15 pieces of large woody debris at nine different locations along Little Sheep Creek. The culverts are located at river miles 21.50 and 22.75. The large wood will be placed incrementally between river miles 21.25 and 23.00. The project will be implemented on private land and was developed in coordination with the landowner, the Grande Ronde Model Watershed Program, Oregon Department of Forestry, the Nez Perce Tribe, and the Oregon Department of Fish and Wildlife.

Analysis: The compliance checklist for this project was completed by Don Bryson with the Nez Perce Tribe and meets the standards and guidelines for the Watershed Management Program Environmental Impact Statement (EIS) and Record of Decision (ROD).

The Endangered Species Act (ESA) listed species that may occur in the general vicinity of the project are bull trout, Snake River steelhead, and Snake River spring/summer chinook salmon. In addition, the project will take place within designated critical habitat for Snake River steelhead and Snake River spring/summer chinook salmon. Pursuant to Section 7 of the Endangered Species Act, BPA submitted a Biological Assessment (BA) for the Little Sheep Creek project to

the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (USFWS) on August 30, 2001.

The NMFS issued a Biological Opinion on March 25, 2002 for the species under their jurisdiction that identifies the terms and conditions that must be followed in order to comply with ESA. NMFS concluded that the proposed actions are not likely to jeopardize the continued existence of Snake River spring/summer chinook salmon or Snake River steelhead. NMFS also concluded that the subject actions would not cause adverse modification or destruction of designated critical habitat for these species. Short term impacts will include increases in stream turbidity and sedimentation rates in Little Sheep Creek. NMFS identified the following reasonable and prudent measures that the applicants are required to meet in order to minimize take of Snake River spring/summer chinook salmon and Snake River steelhead resulting from the proposed actions:

- Minimize the likelihood of incidental take resulting from inwater work required to complete the project.
- Minimize the amount and extent of incidental take from construction activities in or near watercourses by ensuring that an effective spill prevention, containment, and control plan is developed, implemented, and maintained to avoid or minimize point-source pollution both into and within watercourses over the short term and the long term.
- Minimize the likelihood of incidental take and impacts to critical habitat resulting from riparian area disturbances including removal of vegetation and disturbance of soils and sediments.
- Complete a comprehensive monitoring and reporting program to ensure the conservation measures prescribed in the Opinion are implemented and effective.

In order to implement the reasonable and prudent measures described above, the applicants must comply with all of the terms and conditions identified in the Biological Opinion (see NMFS Biological Opinion, March 25, 2002). Notable among the terms and conditions are the instream work period, limited to July 15 through October 15. In addition, the inwater work area must be isolated from the active flowing stream to minimize the potential for sediment delivery, and a Pollution and Erosion Control Plan must be developed and implemented to prevent point-source pollution related to construction operations. Disturbance to existing riparian vegetation must be minimized. Areas that require removal or involve mortality of riparian vegetation must be reseeded and/or replanted with native species and appropriate monitoring must be implemented. The NMFS Law Enforcement Office must be notified if any dead, injured, or sick endangered or threatened species are located in conjunction with this project.

Pursuant to Section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act, NMFS also evaluated potential impacts to Essential Fish Habitat (EFH) for chinook salmon as part of their Biological Opinion. NMFS concluded that the proposed actions may adversely affect EFH for chinook salmon. Conservation recommendations for EFH include all of the reasonable and prudent measures and terms and conditions described above and included in NMFS March 25, 2002 Biological Opinion for the Little Sheep Creek project.

The USFWS issued a Biological Opinion on April 17, 2002 for the species under their jurisdiction that identifies the terms and conditions that must be followed in order to comply with ESA. USFWS concluded that the proposed actions are not likely to jeopardize the continued existence of the Columbia River distinct population segment of bull trout. Adverse effects will include the temporary disturbance and displacement of fish and short term increases in fine sediment that may result from instream work. USFWS identified the following reasonable and prudent measures that the applicants are required to meet in order to minimize take of bull trout resulting from the proposed actions:

- Minimize the amount or extent of harassment and disturbance resulting from inwater work.
- Minimize the amount of sediment mobilized during and after construction.

In order to implement the reasonable and prudent measures described above, the applicants must comply with all of the terms and conditions identified in the Biological Opinion (see USFWS Biological Opinion, April 17, 2002). Notable among the terms and conditions is the limit on inwater work to the period when bull trout are least likely to be present. In addition, during the inwater work a fisheries biologist must monitor the fisheries in the area. Passage for adult and juvenile bull trout must be provided around the worksite throughout the inwater construction period. Sediment delivery levels must be monitored to ensure compliance with state water quality standards. Damage or loss of native riparian vegetation must be minimized. Areas that require removal or involve mortality of riparian vegetation must be reseeded and/or replanted with native species and appropriate monitoring must be implemented. Finished grade slopes and elevations must be monitored to ensure stability.

BPA submitted a letter to the Oregon State Historic Preservation Office (SHPO) on January 31, 2002 that explained the Little Sheep Creek project and its potential affects on prehistoric and/or historic resources. BPA concluded that the project would have no affect on prehistoric or historic resources given the present site conditions and proposed activities. The Oregon SHPO concurred with this finding on February 27, 2002.

Standard in-channel water quality protection procedures will be followed during the implementation of the Little Sheep Creek project. The necessary Oregon Division of State Lands, U.S. Army Corps of Engineers, and Oregon Department of Fish and Wildlife permit approvals for this project have either been obtained or are in process. No construction will be authorized to begin until the applicant has obtained all required permits and approvals.

Public involvement has taken place as part of the Little Sheep Creek project. The project will be implemented on private land in conjunction with a willing landowner. Adjacent landowners located upstream and downstream of the project site were notified of the proposed actions and allowed to comment. Consultation has also taken place with Oregon Department of Fish and Wildlife, Oregon Department of Forestry, U.S. Forest Service, Nez Perce Tribe, Grande Ronde Model Watershed Program, National Marine Fisheries Service, and U.S. Fish and Wildlife Service.

Findings: The project is generally consistent with the Northwest Power Planning Council's Fish and Wildlife Program, as well as BPA's Watershed Management Program EIS (DOE/EIS-0265) and ROD. This Supplement Analysis finds that: 1) implementing the proposed action will not result in any substantial changes to the Watershed Management Program that are relevant to environmental concerns; and 2) there are no significant new circumstances or information relevant to environmental concerns and bearing on the Watershed Management Program or its impacts. Therefore, no further NEPA documentation is required.

/s/ Shannon C. Stewart 4-29-2002

Shannon C. Stewart
Environmental Specialist

CONCUR:

/s/ Thomas C. McKinney

DATE: 4-29-2002

Thomas C. McKinney
NEPA Compliance Officer

Attachments:

NEPA Compliance Checklist
USFWS Biological Opinion, April 17, 2002
NMFS Biological Opinion, March 25, 2002
Oregon SHPO Letter, February 27, 2002

cc: (w/ attachments)

Kevin Benton – Oregon Department of Forestry
Wilfred Daggett
Cynthia Warnock – Wallowa Soil and Water Conservation District
Don Bryson – Nez Perce Tribe